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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CR 10-00731 LHK
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING STATUS
v.)	CONFERENCE AND DOCUMENTING
)	EXCLUSION OF TIME
KENNETH NGUYEN HAI LE,)	
)	
Defendant.)	

The defendant, Kenneth Nguyen Hai Le, and the government together respectfully stipulate as follows:

1. A status conference is currently scheduled in this matter on November 30, 2011 at 10:00 a.m. The purpose of the status conference is advise the Court as to the status of a potential disposition of the case;
2. The parties hereby advise the Court that the parties are continuing to confer over a potential disposition. The disposition includes a restitution award and the defense needs additional time to investigate the restitution issue.

Accordingly, the parties request a continuance of the status conference for this purpose. Counsel for defendant is unavailable December 7, 2011, and counsel for the government is unavailable December 14, 2011. The parties therefore jointly request that the Court set the matter

1 for change of plea or status conference on December 21, 2011, at 10:00 a.m. The parties jointly
2 request that the Court exclude the period of time between November 30, 2011, and December 21,
3 2011, under the Speedy Trial Act for effective preparation of counsel *See* 18 U.S.C. §§
4 3161(h)(7)(A) and (b)(iv).

5
6 IT IS SO STIPULATED.

7
8 Dated: November 30, 2011

/s/

THOMAS FERRITO
Counsel for Defendant

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10
11 Dated: November 30, 2011

/s/

MICHELLE J. KANE
Assistant United States Attorney

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13 ORDER

14 The Court finds that, taking into the account the public interest in the prompt disposition of
15 criminal cases, granting the continuance until December 21, 2011, is necessary for effective
16 preparation of defense counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances,
17 the Court finds that the ends of justice served by excluding the period from November 30, 2011,
18 to December 21, 2011, outweigh the best interest of the public and the defendant in a speedy
19 trial. *Id.* § 3161(h)(7)(A).

20 Accordingly, and with the consent of the defendant, the Court (1) sets a hearing on December
21 21, 2011, at 10:00 a.m. and (2) orders that the period from November 30, 2011, to December 21,
22 2011, be excluded from Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(7)(A) and
23 (B)(iv).

24
25 IT IS SO ORDERED.

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27 Dated: 11/29, 2011



LUCY H. KOH
United States District Judge